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Security Council

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The Security Council,

Reaffirming its previous resolutions and statements of its President concerning the situation in Somalia and Eritrea, in particular resolutions 733 (1992), 1844 (2008), 1907 (2009), 2036 (2012), 2060 (2012) and 2093 (2013),

Taking note of the final reports of the Somalia and Eritrea Monitoring Group (the Monitoring Group) on Somalia (S/2013/413) and Eritrea,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, Djibouti and Eritrea respectively,

Expressing concern at the continued violation of the charcoal ban, and *expressing* particular concern over the situation in Kismayo and the impact of these violations on the deteriorating security situation in the Juba regions,

Condemning flows of weapons and ammunition supplies to and through Somalia and Eritrea in violation of the arms embargo on Somalia and the arms embargo on Eritrea, as a serious threat to peace and stability in the region,

Expressing concern at the reports of violations of human rights, including extrajudicial killings, violence against women, children and journalists, arbitrary detention and pervasive sexual violence in Somalia, including in camps for internally displaced persons, and underscoring the need to end impunity, uphold human rights and to hold accountable those who commit such crimes,

Underlining the importance of the Federal Government of Somalia and donors being mutually accountable and transparent in the allocation of financial resources,

Recognizing the significant progress in Somalia over the past year, commending the Federal Government of Somalia for its efforts to bring peace and stability to Somalia, and *encouraging* it to set out and define a clear political process towards implementing a federal structure, in line with the provisional constitution of Somalia,

Encouraging the engagement of the Federal Government of Somalia in identifying for listing individuals and entities engaging in acts that threaten the peace, security and stability of Somalia, as well as other listing criteria,

Welcoming the intention of the Monitoring Group to continue building a productive relationship with the Federal Government of Somalia,

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Expressing concern at the level of information sharing between humanitarian agencies and the Monitoring Group, and *urging* enhanced information sharing and dialogue between the Monitoring Group and relevant humanitarian agencies,

Expressing its desire to consolidate and affirm current exemptions to the arms embargo on Somalia and Eritrea in order to facilitate its implementation as well as to add new exemptions in operative paragraph 10 of this resolution,

Looking forward to the EU-Somalia Conference in Brussels on 16 September, and in that context *urging* the international community to work together to ensure Somali government priorities are effectively supported,

Underlining the importance of international support to the Federal Government of Somalia in fulfilling its commitments under the terms of the suspension of the arms embargo,

Welcoming the efforts made by the Secretariat to expand and improve the roster of experts for the Security Council Subsidiary Organs Branch, bearing in mind the guidance provided by the Note of the President S/2006/997,

Recalling the Informal Working Group on General Issues of Sanctions report (S/2006/997) on best practices and methods, including paragraphs 21, 22 and 23 that discuss possible steps for clarifying methodological standards for monitoring mechanisms,

Determining that the situation in Somalia, Eritrea's influence in Somalia, as well as the dispute between Djibouti and Eritrea, continue to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Recalls* resolution 1844 (2008) which imposed targeted sanctions and resolutions 2002 (2011) and 2093 (2013) which expanded the listing criteria, and *notes* one of the listing criteria under resolution 1844 (2008) is engaging in acts that threaten the peace, security and stability of Somalia;

2. *Reiterates* its willingness to adopt targeted measures against individuals and entities on the basis of the above mentioned criteria;

3. *Reiterates* that obstructing the investigations or work of the Monitoring Group is a criterion for listing under paragraph 15 (e) of resolution 1907 (2009);

Arms embargo

4. *Reaffirms* the arms embargo on Somalia, imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) and modified by paragraphs 33 to 38 of resolution 2093 (2013) (hereafter referred to as "the arms embargo on Somalia");

5. *Further reaffirms* the arms embargo on Eritrea imposed by paragraphs 5 and 6 of resolution 1907 (2009) (hereafter referred to as "the arms embargo on Eritrea");

6. *Decides* that until 6 March 2014 the arms embargo on Somalia shall not apply to deliveries of weapons or military equipment or the provision of advice, assistance or training, intended solely for the development of the Security Forces of

the Federal Government of Somalia, to provide security for the Somali people, except in relation to deliveries of the items set out in the annex to this resolution;

7. *Decides* that supplies of items in the annex to this resolution to the Federal Government of Somalia by Member States or international, regional, and subregional organizations require an advance approval by the committee on a case-by-case basis;

8. *Decides* that weapons or military equipment sold or supplied solely for the development of the Security Forces of the Federal Government of Somalia may not be resold to, transferred to, or made available for use by, any individual or entity not in the service of the Security Forces of the Federal Government of Somalia;

9. *Reminds* the Federal Government of Somalia of its obligations to report to the Security Council no later than 6 October 2013, following that by 6 February 2014, and every six months thereafter, on:

(a) The structure of the Security Forces of the Federal Government of Somalia;

(b) The infrastructure in place to ensure the safe storage, registration, maintenance and distribution of military equipment by the Security Forces of the Federal Government of Somalia;

(c) The procedures and codes of conduct in place for the registration, distribution, use and storage of weapons by the Security Forces of the Federal Government of Somalia, and on training needs in this regard;

10. *Decides* that the arms embargo on Somalia shall not apply to:

(a) Supplies of weapons or military equipment or the provision of assistance, intended solely for the support of or use by United Nations personnel, including the United Nations Assistance Mission in Somalia (UNSOM);

(b) Supplies of weapons and military equipment, technical training and assistance intended solely for the support of or use by the African Union Mission in Somalia (AMISOM);

(c) Supplies of weapons or military equipment or the provision of assistance intended solely for the support of, or use by, AMISOM's strategic partners, operating solely under the African Union Strategic Concept of 5 January 2012 (or subsequent AU strategic concepts), and in cooperation and coordination with AMISOM;

(d) Supplies of weapons and military equipment, technical training and assistance intended solely for the support of or use by the European Union Training Mission (EUTM) in Somalia;

(e) Supplies of weapons and military equipment destined for the sole use of Member States or international, regional and subregional organizations undertaking measures to suppress acts of piracy and armed robbery at sea off the coast of Somalia, upon the request of the Federal Government of Somalia for which it has notified the Secretary-General, and provided that any measures undertaken shall be consistent with applicable international humanitarian and human rights law;

(f) Supplies of protective clothing, including flak jackets and military helmets, temporarily exported to Somalia by United Nations personnel,

representatives of the media and humanitarian and development workers and associated personnel for their personal use only;

(g) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, notified to the Committee five days in advance and for its information only, by the supplying State, international, regional or subregional organization;

11. *Further decides* that the arms embargo on Somalia shall not apply to:

(a) Supplies of weapons or military equipment and technical assistance or training by Member States or international, regional and subregional organizations intended solely for the purposes of helping develop Somali security sector institutions, in the absence of a negative decision by the Committee within five working days of receiving a notification of any such assistance from the supplying State, international, regional or subregional organization;

12. *Decides* that the arms embargo on Eritrea shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, as approved on case-by-case basis in advance by the Committee;

13. *Decides* that the arms embargo on Eritrea shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Eritrea by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only;

Notification to the Committee

14. *Decides* that the Federal Government of Somalia has the primary responsibility to notify the Committee, for its information at least five days in advance, of any deliveries of weapons or military equipment or the provision of assistance intended solely for the Security Forces of the Federal Government of Somalia, as permitted in paragraph 6 of this resolution and excluding the items listed in the Annex to this resolution;

15. *Further decides* that the Member State or international, regional and subregional organization delivering assistance may, in the alternative, make this notification in consultation with the Federal Government of Somalia;

16. *Stresses* the importance that notifications submitted to the Committee in accordance with paragraphs 14 and 15 above, contain all relevant information, including where applicable, the type and quantity of weapons, ammunitions, military equipment and materiel to be delivered, the proposed date and the specific place of delivery in Somalia;

17. *Calls on* the Federal Government of Somalia to fulfil its obligations under the terms of the suspension of the arms embargo, in particular the notification procedure set out in paragraph 14 of this resolution;

Charcoal ban

18. *Reiterates* that the Somali authorities shall take the necessary measures to prevent the export of charcoal from Somalia and *requests* that AMISOM support and assist the Somali authorities in doing so, as part of AMISOM's implementation of its mandate set out in paragraph 1 of resolution 2093, and *reiterates* that all

Member States shall take the necessary measures to prevent the direct or indirect import of charcoal from Somalia, whether or not such charcoal originated in Somalia;

19. *Expresses its deep concern* at reports of continuing violations of the charcoal ban by Member States, *requests* further detailed information from the Monitoring Group on possible environmentally sound destruction of Somali charcoal, *reiterates* its support for the President of Somalia's task-force on charcoal issues, and *underscores* its willingness to take action against those who violate the charcoal ban;

20. *Reminds* all Member States, including police and troop contributing contingents to AMISOM, of their obligations to abide by the charcoal ban, as set out in resolution 2036 (2012);

Humanitarian issues

21. *Underscores* the importance of humanitarian aid operations, *condemns* any politicization of humanitarian assistance, or misuse or misappropriation, and *calls upon* Member States and the United Nations to take all feasible steps to mitigate these aforementioned practices in Somalia;

22. *Decides* that until 25 October 2014 and without prejudice to humanitarian assistance programmes conducted elsewhere, the measures imposed by paragraph 3 of resolution 1844 (2008) shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia, by the United Nations, its specialized agencies or programmes, humanitarian organizations having observer status with the United Nations General Assembly that provide humanitarian assistance, and their implementing partners including bilaterally or multilaterally funded NGOs participating in the United Nations Consolidated Appeal for Somalia;

23. *Requests* the Emergency Relief Coordinator to report to the Security Council by 20 March 2014 and again by 20 September 2014 on the delivery of humanitarian assistance in Somalia and on any impediments to the delivery of humanitarian assistance in Somalia, and *requests* relevant United Nations agencies and humanitarian organizations having observer status with the United Nations General Assembly and their implementing partners that provide humanitarian assistance in Somalia to increase their cooperation and willingness to share information with the United Nations Humanitarian Aid Coordinator for Somalia in the preparation of such reports and in the interests of increasing transparency and accountability;

24. *Requests* enhanced cooperation, coordination and information sharing between the Monitoring Group and the humanitarian organizations operating in Somalia and neighbouring countries;

Public financial management

25. *Takes note* of the President of Somalia's commitment to improve public financial management, *expresses its serious concern* at reports of misappropriation of Somalia's public resources, *underlines* the importance of transparent and effective management of public finances, *encourages* more robust efforts across the Federal Government of Somalia to address corruption and hold perpetrators

accountable, improve public financial management and accountability, and *reiterates* its willingness to take action against individuals involved in the misappropriation of public resources;

Petroleum sector

26. *Encourages* the Federal Government of Somalia, to mitigate properly against the risk of the petroleum sector in Somalia becoming a source of increased tension in Somalia;

Mandate of the Monitoring Group

27. *Decides* to extend until 25 November 2014 the mandate of the Somalia and Eritrea Monitoring Group as set out in paragraph 13 of resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013), *expresses* its intent to review the mandate and take appropriate action regarding the further extension no later than 25 October 2014, and *requests* the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group, in consultation with the Committee, for a period of sixteen months from the date of this resolution, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to previous resolutions;

28. *To submit*, for the Security Council's consideration, through the Committee, two final reports; one focusing on Somalia, the other on Eritrea, covering all the tasks set out in paragraph 13 of resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013), no later than thirty days prior to the termination of the Monitoring Group's mandate;

29. *Requests* the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities to consider the recommendations in the reports of the Monitoring Group and recommend to the Council ways to improve the implementation of and compliance with the Somalia and Eritrea arms embargoes, the measures regarding the import and export of charcoal from Somalia, as well as implementation of the targeted measures imposed by paragraphs 1, 3 and 7 of resolutions 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) taking into account paragraph 1 above, in response to continuing violations;

30. *Decides* that the Monitoring Group shall no longer be obliged to submit monthly reports to the Committee in the same months in which it provides its mid-term brief and submits its final reports;

31. *Underlines* the importance of engagement between the Government of Eritrea and the Monitoring Group, and *underlines* its expectation that the Government of Eritrea will facilitate the entry of the Monitoring Group to Eritrea without any further delay;

32. *Urges* all parties and all States, as well as international, regional and subregional organizations, including AMISOM, to ensure cooperation with the Monitoring Group, and ensure the safety of the members of the Monitoring Group, unhindered access, in particular to persons, documents and sites the Monitoring Group deems relevant to the execution of its mandate;

AMISOM

33. *Looks forward* to the results of the upcoming joint review of AMISOM by the Secretariat and the African Union, *requests* options and recommendations to be presented to the Council by 10 October 2013, and *welcomes* the African Union's intention to work closely with the Secretariat on the review;

34. *Decides* to remain actively seized of the matter.

Annex

1. Surface to air missiles, including Man-Portable Air-Defence Systems (MANPADS);
2. Guns, howitzers, and cannons with a calibre greater than 12.7 mm, and ammunition and components specially designed for these. (This does not include shoulder fired anti-tank rocket launchers such as RPGs or LAWs, rifle grenades, or grenade launchers.);
3. Mortars with a calibre greater than 82 mm;
4. Anti-tank guided weapons, including Anti-tank Guided Missiles (ATGMs) and ammunition and components specially designed for these items;
5. Charges and devices intended for military use containing energetic materials; mines and related materiel;
6. Weapon sights with a night vision capability.